

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ROSS F. GILMOUR, individually and on behalf of	:
all others similarly situated,	:
	:
Plaintiff,	:
	:
-against-	:
	:
HSBC BANK (USA), N.A., HSBC MORTGAGE	:
CORP. (USA), ASSURANT, INC., and	:
AMERICAN SECURITY INSURANCE CO.,	:
	:
Defendants.	:
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No. 1:13-cv-05896-ALC

**REPORT REGARDING STATUS
OF SETTLEMENT IN
PARALLEL ACTION**

**REPORT REGARDING STATUS OF SETTLEMENT
IN PARALLEL ACTION**

On February 3, 2014, HSBC¹ filed a status report advising that the parties in a parallel action challenging HSBC's lender-placed insurance ("LPI") practices, Diaz v. HSBC Bank USA, N.A., Southern District of Florida, Case No. 1:13-cv-21104,² reached a settlement on a class wide basis. HSBC further stated that it would notify this Court of additional developments in Diaz, which it has done. On May 28, 2014, this Court ordered HSBC to continue to provide status reports every sixty days.

On October 29, 2014, the Diaz court entered an order giving final approval to the Settlement, Diaz ECF No. 182. Two objectors have now appealed the final approval of the Diaz settlement to the Eleventh Circuit. Class counsel has filed a motion to dismiss both appeals on the grounds that they were untimely. In addition, certain defendants have filed motions to

¹ "HSBC" means HSBC Bank USA, N.A. and HSBC Mortgage Corporation (USA). These HSBC entities are defendants in both this action and Diaz.

² Diaz vs. HSBC Bank USA, N.A. was formerly known as Lopez vs. HSBC Bank USA, N.A.

dismiss both appeals on the grounds that the objectors do not have standing to appeal the final approval order. HSBC will provide an additional status update to this Court by April 17, 2015, or should other circumstances warrant.

Dated: February 26, 2015

Respectfully Submitted,

/s/ Wesley M. Griffith

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CERTIFICATION

I hereby certify that, on February 26, 2015, a copy of the foregoing **REPORT REGARDING STATUS OF SETTLEMENT IN PARALLEL ACTION** was filed electronically and served by U.S. Mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the court's electronic filing system or by U.S. Mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's EM/ECF System.

By: /s/ Wesley M. Griffith
 Wesley M. Griffith